

Before the
Federal Communications Commission
Washington, D.C. 20554

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| In the Matter of |) | |
| |) | |
| Telephone Number Portability |) | |
| |) | CC Docket No. 95-116 |
| Expedited Petition for Rulemaking to Rescind the |) | |
| CMRS LNP Rule |) | RM No. 10792 |

ORDER

Adopted: March 17, 2004

Released: March 17, 2004

By the Chief, Spectrum and Competition Policy Division:

1. On June 16, 2003, the Cellular Telecommunications & Internet Association (CTIA), Cingular Wireless, LLC (Cingular), AT&T Wireless Services, Inc. (AT&T Wireless), and ALLTEL Communications, Inc. (ALLTEL) filed a petition for rulemaking to rescind the rule requiring commercial mobile radio service (CMRS) providers to provide local number portability (LNP).¹

2. On February 11, 2004, CTIA, AT&T Wireless, and ALLTEL filed a letter requesting that their names be withdrawn from the petition.² Thereafter, on February 20, 2004, Cingular filed a letter indicating that it no longer wishes to pursue the petition at this time. Cingular requests that the petition be withdrawn, without prejudice.³

3. We grant the parties' request to withdraw the petition. Accordingly, IT IS ORDERED THAT, pursuant to sections 4(i) and 5(c) of the Communications Act of 1934, as amended, 47 U.S.C. §§

¹ 47 C.F.R. § 52.31. See Telephone Number Portability, CC Docket No. 95-116, Expedited Petition for Rulemaking to Rescind the CMRS LNP Rule from the Cellular Telecommunications & Industry Association (CTIA), Cingular Wireless, LLC (Cingular), AT&T Wireless Services, Inc. (AT&T Wireless), and ALLTEL Communications Inc. (ALLTEL) (filed June 16, 2003).

² Letter from Michael F. Altschul, Senior Vice President & General Counsel, CTIA, Glenn S. Rabin, Vice President-Federal Regulatory Affairs, ALLTEL, and Douglas I. Brandon, Vice President, AT&T Wireless to Marlene H. Dortch, Secretary, FCC, CC Docket No. 95-116 (filed Feb. 11, 2004).

³ Letter from J.R. Carbonell, Carol L. Tracker, and David G. Richards, Cingular Wireless, CC Docket No. 95-116 (filed Feb. 20, 2004).

154(i) and 155(c), and the authority delegated pursuant to sections 0.131 and 0.331 of the Commission's rules, 47 C.F.R. §§ 0.131, 0.331, the above-captioned petition IS DISMISSED.

FEDERAL COMMUNICATIONS COMMISSION

William Kunze
Chief, Spectrum and Competition Policy Division
Wireless Telecommunications Bureau